

Schuchmann, Russell P.

S/N: 10/065,688

REMARKS

Claims 1-20 are pending in the present application. In the Office Action mailed August 24, 2004, the Examiner rejected claims 1, 2, 4-7, 14-16, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over Higgins et al. (USP 3,839,628). The Examiner next rejected claim 8-13 under 35 U.S.C. §103(a) as being unpatentable over Higgins et al., and further in view of Kliman (USP 6,199,023). Claim 18 was rejected under 35 U.S.C. §103(a) as being unpatentable over Higgins et al., and further in view of Wilder (USP 5,234,319). Applicant appreciates the Examiner's indication that claims 3 and 17 would be allowable if rewritten in independent form including all limitation of the base and intervening claims.

Regarding claim 1, Applicant has amended the claim to incorporate the subject matter of claim 3, which the Examiner indicated as allowable. As such, Applicant has canceled claim 3. Claims 1, 2, and 4-7 are, therefore, in condition for allowance.

Regarding claim 8, Applicant has amended the claim to call for the processor to "differentiate noise from mechanical anomalies." As the Examiner acknowledged when addressing claim 17, the prior art does not disclose distinguishing between noise signals and signals indicative of mechanical anomalies. Accordingly, claims 8-13 are in condition for allowance.

Regarding claim 14, Applicant has canceled the claim and incorporated the subject matter of claim 14 into claim 17, which the Examiner indicated as allowable. Accordingly, Applicant has amended claims 15, 16, and 18 to depend from claim 17. Therefore, claims 15-18 are in condition for allowance.

Regarding claim 19, Applicant has amended the claim to call for "means for interrupting pump operation in response to an indication of a mechanical disturbance." As the Examiner acknowledged when addressing claim 3, the prior art does not disclose interrupting pump operation upon in response to a mechanical disturbance. Therefore, claims 19 and 20 are in condition for allowance.

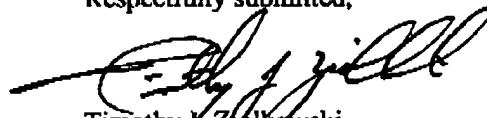
Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1, 2, 4-13, and 15-20.

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Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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